



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2017 Biennium

|                         |             |                |  |
|-------------------------|-------------|----------------|--|
| <b>Bill #</b>           | HB0358      | <b>Title:</b>  | Generally revise laws related to licensed addiction counselors |
| <b>Primary Sponsor:</b> | Lynch, Ryan | <b>Status:</b> | As Introduced  |

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input type="checkbox"/> Needs to be included in HB 2  | <input type="checkbox"/> Technical Concerns              |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

|   | <b>FY 2016<br/>Difference</b> | <b>FY 2017<br/>Difference</b> | <b>FY 2018<br/>Difference</b> | <b>FY 2019<br/>Difference</b> |
|---|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| <b>Expenditures:</b>                    |                               |                               |                               |                               |
| General Fund                            | \$0                           | \$0                           | \$0                           | \$0                           |
| State Special Revenue                   | \$11,381                      | \$6,141                       | \$6,141                       | \$6,141                       |
| <b>Revenue:</b>                         |                               |                               |                               |                               |
| General Fund                            | \$0                           | \$0                           | \$0                           | \$0                           |
| State Special Revenue                   | \$11,381                      | \$6,141                       | \$6,141                       | \$6,141                       |
| <b>Net Impact-General Fund Balance:</b> | <u>\$0</u>                    | <u>\$0</u>                    | <u>\$0</u>                    | <u>\$0</u>                    |

**Description of fiscal impact:** HB 358 revises laws related to the regulation and licensing of social workers and professional counselors. The fiscal impact of this bill comes from the costs associated with adding two board members to the Board of Behavioral Health, costs of updating rules to implement the legislation, and the cost of adding a new license type to the board.

### FISCAL ANALYSIS

#### Assumptions:

- On average, the board meets six times per year with 12 meeting days, including full board, screening, and adjudication panel meetings. It is assumed new board members will travel 500 miles roundtrip to attend the meetings, will require one night's lodging per meeting, and will require meal allowances for all meetings.
- The board will pay the two new members per diem of \$1,200 annually, \$1,143 for board member lodging, \$408 for board member meals, and \$3,390 for board member mileage reimbursement. The total cost of two additional board members annually would be \$6,141.
- HB 358 changes the name of the Board of Social Work Examiners and Professional Counselors to the Board of Behavioral Health and transfers duties related to the regulation and licensing of Licensed Addiction Counselors from the Department of Labor and Industry to the Board of Behavioral Health. The board will need to update and implement rules to support this legislation.

4. It is estimated the board will publish a fifteen page rule notice and a three page adoption notice to update rules to include regulatory language for Licensed Addiction Counselors and modify rules for the changing the makeup of the board and the name of the board. The board will hold a hearing for public comment with a hearing officer presiding and a court reporter to record and provide a transcript of comments received. There will be a mailing to interested parties to advise them of the rule notice and direct them to the board's website to review the notice. It is estimated the board will require an additional forty hours of legal services to draft the rules and notice, and prepare responses to comments for the adoption notice. The estimate costs for rulemaking includes: \$900 to the Secretary of State for publication of the rule notice and adoption; \$440 for the rule hearing and transcript; \$100 for printing, labeling, and mailing of postcard to interested parties for both the present Social Work Examiners Board and Licensed Addiction Counselor Program, directing them to the board's website to review the notice. The total cost of rulemaking would be \$5,240 in the first year of the biennium.
5. New applicants for a licensed addiction counselor license will be required to submit to a finger print and background check. All other licensees of the Board of Social Work Examiners and Professional Counselors meet this requirement. It is estimated there are approximately 78 applicants for LAC licenses annually who will submit a finger print and background check to the Department of Justice for processing.
6. The expenses of the Licensed Addiction Program will transfer to the Board of Behavioral Health as well as the revenues. Fees for the licensees of the board are set commensurate with the costs of the board.

|   | <b><u>FY 2016</u></b><br><b><u>Difference</u></b> | <b><u>FY 2017</u></b><br><b><u>Difference</u></b> | <b><u>FY 2018</u></b><br><b><u>Difference</u></b> | <b><u>FY 2019</u></b><br><b><u>Difference</u></b> |
|---|---|---|---|---|
| <b><u>Fiscal Impact:</u></b>  |   |   |   |   |
| <b><u>Expenditures:</u></b>   |   |   |   |   |
| Personal Services   | \$0   | \$0   | \$0   | \$0   |
| Operating Expenses  | \$11,381  | \$6,141   | \$6,141   | \$6,141   |
| <b>TOTAL Expenditures</b>   | <b>\$11,381</b>                                   | <b>\$6,141</b>                                    | <b>\$6,141</b>                                    | <b>\$6,141</b>                                    |
| <b><u>Funding of Expenditures:</u></b>  |   |   |   |   |
| General Fund (01)   | \$0   | \$0   | \$0   | \$0   |
| State Special Revenue (02)  | \$11,381  | \$6,141   | \$6,141   | \$6,141   |
| <b>TOTAL Funding of Exp.</b>  | <b>\$11,381</b>                                   | <b>\$6,141</b>                                    | <b>\$6,141</b>                                    | <b>\$6,141</b>                                    |
| <b><u>Revenues:</u></b>   |   |   |   |   |
| General Fund (01)   | \$0   | \$0   | \$0   | \$0   |
| State Special Revenue (02)  | \$11,381  | \$6,141   | \$6,141   | \$6,141   |
| <b>TOTAL Revenues</b>   | <b>\$11,381</b>                                   | <b>\$6,141</b>                                    | <b>\$6,141</b>                                    | <b>\$6,141</b>                                    |
| <b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b> |   |   |   |   |
| General Fund (01)   | \$0   | \$0   | \$0   | \$0   |
| State Special Revenue (02)  | \$0   | \$0   | \$0   | \$0   |

**Technical Notes:**

1. The deposit of fees will be covered in 37-1-134, MCA, if 37-35-303, MCA, is repealed.
2. With the repeal of 37-35-301, MCA, complaints will be addressed by a board and are included in 37-1-307 through 37-1-316, MCA.

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*Sponsor's Initials*

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*Date*

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*Budget Director's Initials*

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*Date*